

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GEOVANNI APONTE,
Petitioner,

v.

TAMMY S. FERGUSON, et al.,
Respondents.

:
:
:
:
:
:
:
:

Civ. No. 16-4761

ORDER

AND NOW, this 9th day of August, 2017, upon careful and independent consideration of Geovanni Aponte's Petition for Writ of Habeas Corpus (Doc. No. 1), and after review of the Report and Recommendation of Judge Sitarski (Doc. No. 11) to which there are no objections, it is hereby **ORDERED** that:

1. The Report and Recommendation (Doc. No. 11) is **APPROVED** and **ADOPTED**.
2. The Petition (Doc. No. 1) is **DENIED** and **DISMISSED with prejudice**.
3. A certificate of appealability **SHALL NOT** issue because Petitioner has not made a substantial showing of the denial of a constitutional right.
4. The Clerk of Court shall **CLOSE** this action.

AND IT IS SO ORDERED.

/s/ Paul S. Diamond

Paul S. Diamond, J.